

I hereby certify that this correspondence is being electronically transmitted to the United States Patent & Trademark Office, via the EFS, on:

December 18, 2008

Date of Deposit

Amir N. Penn, Reg. No. 40,767

Name of applicant, assignee or
Registered Representative

Signature

Attorney Docket No. MP0976 (13036-17)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Douglas Gene Keithley)	
Serial No. 10/650,160)	Examiner: Thierry L. Pham
Filing Date: August 27, 2003)	Group Art Unit: 2625
For IMAGE FORMING APPARATUS)	Confirmation No. 7056
FOR IDENTIFYING UNDESIRABLE)	
TONER PLACEMENT)	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance dated October 1, 2008, Applicant provides the following comments on the Examiner's Statement of Reasons for Allowance:

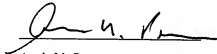
Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. 1.104(e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is

necessary or warranted. Therefore, the record should reflect that Applicant does not necessarily agree with the statement in the reasons for allowance.

Applicant's claims should be limited only by the terms utilized therein. Thus, Applicant hereby submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are actually present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 23-1925 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Amir N. Penn', is written over a horizontal line.

Amir N. Penn
Reg. No. 40,767
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200